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[Additional counsel on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CASE NO.: 4:20-mc-80214-VC

IN RE DMCA § 512(h)
SUBPOENA TO TWITTER, INC.

**JOINT STIPULATION TO MODIFY
BRIEFING SCHEDULE ON TWITTER'S
MOTION FOR *DE NOVO*
DETERMINATION OF DISPOSITIVE
MATTER**

This stipulation is entered into between Petitioner Bayside Advisory LLC (“Petitioner” or “Bayside”) and Respondent Twitter, Inc. (“Respondent” or “Twitter”; collectively with Petitioner, the “Parties”) pursuant to Local Rules 6-2 and 7-12.

WHEREAS, on January 7, 2022, Twitter filed its Motion for *De Novo* Determination of Dispositive Matter Referred to Magistrate Judge (Dkt. 22) (the “Motion”) in matter *In re DMCA § 512(h) Subpoena to Twitter, Inc.*, Case No. 4:20-mc-80214-DMR, then assigned to Magistrate Judge Donna M. Ryu;

WHEREAS, the current deadline for the filing of a response is January 21, 2022 and the current deadline for the filing of a reply is January 28, 2022;

WHEREAS, counsel for the parties have been contacted by potential amici curiae who may seek to participate in the briefing of the Motion;

WHEREAS, counsel for the parties recognize that the issues in the Motion address a matter of important public interest, and that justice would be best served with such amici’s public policy and legal arguments before the Court;

WHEREAS, the parties have sought no previous extensions or modification of the briefing schedule and, as this case is limited to a DMCA subpoena, there is no further schedule for the case that will be affected;

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned counsel for the Parties herein, and subject to the approval of the Court, that the parties and potential amici curiae shall brief the Motion in accordance with the following schedule:

- February 18, 2022 – Amicus briefs in support of Twitter due;
- March 11, 2022 – Bayside’s response / opposition due;
- April 11, 2022 – Amicus briefs in support of Bayside or amicus briefs that do not support either party due;
- May 2, 2022 – Twitter’s reply due.

IT IS SO STIPULATED.

DATED: January 14, 2022

Respectfully submitted,

GLASER WEIL FINK HOWARD
AVCHEN & SHAPIRO LLP

By: /s/ Robert E. Allen

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Attorneys for Respondent

Twitter, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January __, 2022

The Honorable Vince Chhabria

UNITED STATES DISTRICT JUDGE

ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that the concurrence in the filing of this document has been obtained from the signatories.

Dated: January 14, 2022

GLASER WEIL FINK HOWARD
AVCHEN & SHAPIRO LLP

/s/ Robert E. Allen
Robert E. Allen

Glaser Weil

CERTIFICATE OF SERVICE

In hereby certify that on January 14, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

Dated: January 14, 2022

GLASER WEIL FINK HOWARD
AVCHEN & SHAPIRO LLP

/s/ Robert E. Allen
Robert E. Allen

Glaser Weil

DECLARATION OF ROBERT E. ALLEN

I, ROBERT E. ALLEN, declare as follows:

1. I am a partner with the law firm of Glaser Weil Fink Howard Avchen & Shapiro LLP, counsel of record for Bayside Advisory LLC (“Bayside”). I have personal knowledge of the facts contained herein and, if called upon to do so, could and would testify competently thereto.

2. I submit this declaration in support of the Joint Stipulation to Modify Briefing Schedule on Twitter’s Motion for *De Novo* Determination of Dispositive Matter.

3. Counsel for the parties have been contacted by potential amici curiae who may seek to participate in the briefing of the Motion. To ensure that the potential amici and the parties are able to fully brief the important issues implicated by the Motion, counsel for the parties have agreed and stipulated to an extended and modified briefing schedule.

4. The parties have sought no previous extensions or modifications and as this case is limited to a DMCA subpoena—and is not set for trial—there is no further schedule for the case that will be affected by the stipulated modifications.

I declare under penalty of perjury under the laws of the State of California and United States of America that the foregoing is true and correct.

Executed on January 14, 2022 in Los Angeles, California.

/s/ Robert E. Allen

ROBERT E. ALLEN